

1  
2  
3  
4  
5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
7

8 JEFFREY W. TAM,

No. C 07-2747 SI

9 Plaintiff,

**ORDER RE: PLAINTIFF'S MOTION TO  
FILE HATE CRIME**

10 v.

11 JOHN E. POTTER,

12 Defendant.  
13 \_\_\_\_\_/

14 Plaintiff has filed a "motion to file hate crime." (Docket No. 34). The Court DENIES plaintiff's  
15 motion, except to the extent that plaintiff wishes to allege that defendant has "created mental stress for  
16 the plaintiff." Plaintiff may file a second amended complaint no later than **March 28, 2008** which  
17 includes allegation # 10 but does not include allegation # 11.  
18

19 **IT IS SO ORDERED.**  
20

21 Dated: March 18, 2008

  
\_\_\_\_\_  
SUSAN ILLSTON  
United States District Judge